

**ASSEMBLY BILL**

**No. 419**

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**Introduced by Assembly Member Lowenthal**

February 15, 2013

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An act to repeal and add Section 11269 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 419, as introduced, Lowenthal. CalWORKs: eligibility.

(1) Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which each county provides cash assistance and other benefits to qualified low-income families. Existing law specifies criteria for eligibility for the CalWORKs program, and limits the receipt of aid to families with related children under 18 years of age, as specified. Existing law prohibits a child from receiving aid while he or she is a patient in a public hospital, except with respect to temporary medical or surgical care not exceeding two calendar months, as provided.

This bill would instead require that a child who is a patient in a public or private hospital for medical or surgical care be considered temporarily absent from the home for the duration of the hospital stay. To the extent that this bill would expand CalWORKs eligibility and thereby increase the duties of counties administering the program, the bill would impose a state-mandated local program.

(2) Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11269 of the Welfare and Institutions  
2 Code is repealed.

3 ~~11269. No child shall receive aid under this chapter while he~~  
4 ~~is a patient in a public hospital, except with respect to temporary~~  
5 ~~medical or surgical care not exceeding two calendar months, in~~  
6 ~~which event the child shall be eligible to receive not to exceed two~~  
7 ~~monthly warrants after becoming a patient.~~

8 SEC. 2. Section 11269 is added to the Welfare and Institutions  
9 Code, to read:

10 11269. A child who is a patient in a public or private hospital  
11 for medical or surgical care shall be considered temporarily absent  
12 from the home for the duration of the hospital stay.

13 SEC. 3. No appropriation pursuant to Section 15200 of the  
14 Welfare and Institutions Code shall be made for purposes of this  
15 act.

16 SEC. 4. If the Commission on State Mandates determines that  
17 this act contains costs mandated by the state, reimbursement to  
18 local agencies and school districts for those costs shall be made  
19 pursuant to Part 7 (commencing with Section 17500) of Division  
20 4 of Title 2 of the Government Code.